

REMARKS

Claims 1-14 are pending in the present patent application. The Examiner has rejected claims 1-14. Applicant has amended claims 1 and 8, and Cancelled claims 5-6 and 12-13. Applicant respectfully requests reconsideration and re-examination of claims 1-4, 7-11 and 14, in view of at least the following amendments and remarks. Applicant also requests consideration of new claims 15-38.

I. Rejection of Claims 1-14 Based on 35 U.S.C. § 102

The Examiner has rejected claims 1-14 under 35 USC 102(e) as being anticipated by Ferguson, U.S. Patent No. 5,966,697. Applicant respectfully disagrees and submits that claims 1-4, 7-11 and 14 are allowable for at least the following reason. Ferguson fails to anticipate the modifying step recited in independent claims 1 and 8, as amended.

Claims 1 and 8, as amended, recite a step of *"modifying responses from said merchant computer system... to route at least a portion of said information exchange through said vendor computer system."* Ferguson lacks any teaching or suggestion of modifying responses from a merchant computer system to route any information exchange, or portion thereof, through a vendor computer system. Ferguson does suggest modifying options or quantity of selected items (see column 9, line 66 through column 10, line 48), but nothing in Ferguson suggests that such modifications have any effect on routing of information, let alone routing a portion of an information exchange through a vendor computer system. For at least this reason, Applicant submits that independent claims 1 and 8 are not anticipated by Ferguson, and are thus allowable over the cited art.

The Examiner, in addressing former claims 6 and 13 (now Cancelled), stated that Ferguson, at column 9, line 66 to column 10, line 48, anticipated the modifying step now incorporated into Applicant's claims 1 and 8. However, because every claim limitation must be considered in determining patentability, consideration must be given to the phrase of the modifying step, *"to route at least a portion of said information exchange through said vendor computer system."* Giving claims 1 and 8 the benefit of this full consideration obviates any anticipation by Ferguson.

For at least the foregoing reason, Applicant submits that independent claims 1 and 8 are in condition for allowance. Claims 2-4, 7, 9-11 and 14, being dependent upon allowable base claims, are also allowable over the cited art for at least the foregoing reasons given with respect to claims 1 and 8.

Applicant notes, for reasons of clarity, that the foregoing argument refers solely to a failure of the prior art to anticipate, teach or suggest the invention. Claims 1 and 8 do not foreclose an embodiment of the invention from also performing the modifications taught by Ferguson.

II. New Claims 15-38

Applicant is submitting new claims 15-38 for consideration. Applicant submits that claims 15-38 are allowable over the cited art.

Claims 15 and 16 are dependent claims, which recite that the modifying steps disclosed in claims 1 and 8, respectively, are performed *automatically*. Applicant submits that claims 15 and 16 are allowable for at least the reasons given for claims 1 and 8 above, as well as for the fact that automatic modifying is neither taught nor suggested by the cited art.

Claims 17-21 claim a vendor computer system having computer readable program code embodied therein for implementing a vendor server to enable secure electronic commerce between a user at a client computer system and one or more merchant servers.

Claims 22-25 claim a vendor server comprising a browser agent, a server agent and a process engine.

Claims 26-37 claim a method for providing secure electronic commerce transactions between a client computer and one or more merchant servers via a vendor server.

Claim 38 claims a vendor server process executed in a vendor server computer system.

CONCLUSION

For at least the foregoing reasons, Applicant respectfully submits that pending claims 1-4, 7-11 and 14 are patentably distinct from the prior art of record and in condition for allowance. Applicant therefore respectfully requests that pending claims 1-4, 7-11 and 14, as well as newly submitted claims 15-38, be allowed.

Respectfully submitted,

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Signature: Deanna Blizzard Date: April 24, 2003.